

# Notice of Allowability

Application No.

09/802,734

Examiner

Jean B. Corrielus

Applicant(s)

STETZLER ET AL.

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the phone interview dated on 9/28/07.
2. ☒ The allowed claim(s) is/are 6-9, 18, 23, and 27, renumbered as 1-4, 6, 7 and 5, respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.


**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
Jean B. Corrielus  
Primary Examiner  
Art Unit: 2611

10-1-07

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William W. Holloway on 9/28/07.

The application has been amended as follows:

#### **IN THE CLAIMS:**

Per this examiner's amendment, claims 11, 14, 25 and 26 have been cancelled and claims 6 and 18 have been amended. A complete listing of the claims and their current status follows:

Claim 1. (Cancelled)

Claim 2. (Cancelled)

Claim 3. (Cancelled)

Claim 4. (Cancelled)

Claim 5. (Cancelled)

6. (Currently Amended) A digital radio system, comprising:

a transmitter unit, the transmitter unit including a transmitter programmable processor, wherein a signal stream transmitted by the transmitter unit is encoded with an encoding algorithm installed in the transmitter programmable processor; and

at least one receiver unit, the receiver unit including:

apparatus for receiving the signal stream transmitted by the transmitter unit and converting the signal stream into a digital format signal stream;

identification apparatus, the identification apparatus determining when an updated decoding algorithm decoding the digital format signal stream is installed in the receiver unit; [the transmitter unit requesting the updated decoding algorithm when the updated decoding algorithm is not installed in the receiver unit]; and

a receiver programmable processor for decoding the digital format signal stream using the updated decoding algorithm installed in the receiver programmable processor, the receiving unit requesting the updated decoding algorithm when the updated decoding algorithm is not installed in the receiving unit.

7. (Previously Amended) The digital radio system as recited in claim 6 wherein the updated decoding algorithm is broadcast in a broadcast transmission control channel to update the receiver unit.

8. (Original) The digital radio system as recited in claim 6 wherein a dual transmission mode is used to update the receiver unit.

9. (Previously Amended) The digital radio system as recited in claim 8 wherein the dual transmission mode includes transmission of an old transmission format and the updated transmission format simultaneously.

Claim 10. (Cancelled)

Claim 11. (Cancelled)

Claim 12. (Cancelled)

Claim 13. (Cancelled)

Claim 14. (Cancelled)

Claim 15. (Cancelled)

Claim 16. (Cancelled)

Claim 17. (Cancelled)

18. (Currently Amended) A digital radio receiver unit responsive to a signal stream from a transmitting unit, the receiver unit comprising:

an antenna for receiving a signal stream from the transmitting unit;

a receiver circuit for converting the signal stream to a digital signal stream;

a programmable processor for processing the digital signal stream, the programmable processor including a decoding algorithm for decoding the digital [format] signal stream; and

an output device wherein, when the programmable processor determines that an updated decoding algorithm needed to decode the digital signal stream is not installed

therein, the output device providing status signals indicating that the updated decoding algorithm is not present, the status signals causing the updated decoding algorithm to be installed in the programmable processor.

Claim 19. (Cancelled)

Claim 20. (Cancelled)

Claim 21. (Cancelled)

Claim 22. (Cancelled)

23. (Previously Amended) The receiver unit as recited in claim 18 wherein the decoding algorithm is an algorithm for decoding a transmitted signal format.

Claim 24. (Cancelled)

Claim 25. (Cancelled)

Claim 26. (Cancelled)

27. (Previously Presented) The digital radio system as recited in Claim 6 wherein the updated decoding algorithm is provided by one provider selected from the group consisting of the manufacturer of the receiver unit and the transmitter unit.

IN THE DRAWINGS:

2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: Fig. 5 has been changed to "FIG. 5A and FIG. 5B".

IN THE SPECIFICATION:

Page 1, lines 20-29 have been amended as follow:


--U.S. provisional application number 60/253,523 (Attorney Docket number TI-31226P): APPARATUS AND METHOD FOR RADIO PROGRAM GUIDE CAPABILITY IN A DIGITAL RADIO SYSTEM, invented by Trudy D. Stetzler, Naresh Coppisetti, and Burc A. Simsek, filed on November 28, 2000 and assigned to the assignee of the present application, is a related application; and,

U.S. [provisional] application number [60/188,696] 09/802,690 (Attorney Docket number TI- 30649), now abandoned: Apparatus and method for Global DIGITAL RADIO, invented by Trudy D. Stetzler, Burc A. Simsek, Robert G. DeMoor, Naresh Coppisetti, John H. Gardner, Gene A. Frantz, Carol Ann Levasseur, Aamer Salahuddin, Keith G. Gutierrez, Philip S. Stetson, and Douglas S. Rasor, filed on March [13, 2000] 3<sup>rd</sup>, 2001 and assigned to the assignee of the present application, is a related application. - -

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean B. Corrielus whose telephone number is 571-272-3020. The examiner can normally be reached on Monday-Thursday from 9:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on 571-272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Jean B. Corrielus  
Primary Examiner  
Art Unit 2611

9/30/07

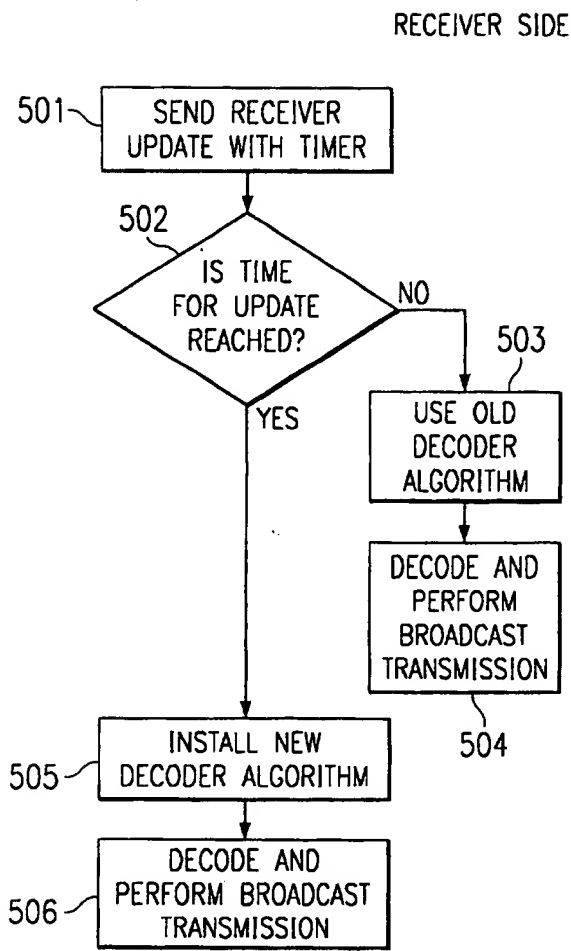


FIG. 5A

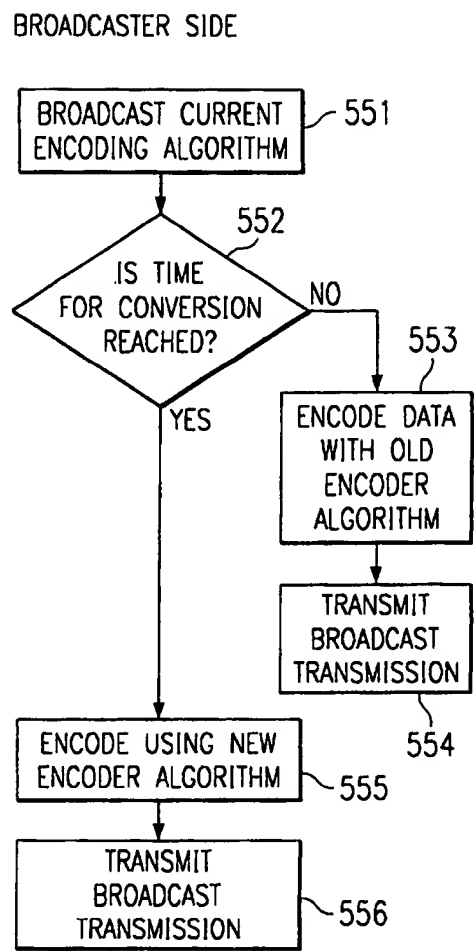


FIG. 5B